

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES MOORE,

Plaintiff,

vs.

Case No. 07-CV-13007
HON. GEORGE CARAM STEEH

LEO BURNETT WORLDWIDE , INC., et al.,

Defendants.

_____/

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION (#17)

Plaintiff James Moore moves for reconsideration of this court's September 4, 2006 Order dismissing Moore's claims for lack of federal subject matter jurisdiction on failure to show cause. Generally, and without restricting the court's discretion, the court will not grant a motion for reconsideration that merely presents the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case. E.D. Mich. LR 7.1(g)(3). Moore does not argue that the court erred, but simply attempts to file an amended claim under the Age Discrimination in Employment Act of 1967, 29 U.S.C. § 621, et seq. Moore does not dispute the court's finding that the court lacked federal jurisdiction at the time of the filing of his complaint, and therefore lacks jurisdiction to now *add* a federal ADEA claim. Moore remains free to refile his claims. Moore has failed to demonstrate palpable error. Accordingly,

Plaintiff Moores' motion for reconsideration is hereby DENIED.

SO ORDERED.

Dated: October 30, 2007

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
October 30, 2007, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk